

Millennium Fund Application
Executive Summary
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I. EXECUTIVE SUMMARY

Children, pre-teens and adolescents who smoke, use alcohol and drugs who engage in anti-social behavior are more likely to find themselves in the juvenile justice system. Juvenile Judges in Idaho and nationally have noted there must be intervention early to stop these behaviors. Programs such as Status Offense Programs and Youth Courts provide the community with tools when supported by the courts and juvenile justice system to effectively and efficiently intervene, when intervention can be most effective for these young offenders. The Court in partnership with the juvenile justice system has the capability to match the most effective intervention to the needs of the youthful offender and their family. These two programs take advantage of this capability. The Courts in Idaho have the unique opportunity to lead this effort but need funding help to be most useful. The Idaho Supreme Court submits its Millennium Fund request for \$270,000 to fund programs to intervene in cases where young offenders smoke, abuse substances and engage in anti-social behavior.

Status Offender Programs

Idaho's Status Offender Programs served over 405 youths and their families for FY06. Idaho has four (4) judicial districts with thirteen (13) counties participating in this program.

Status offenses, traditionally, truancy, curfew, incorrigible, runaway, and tobacco and substance abuse, have longtime been referred to as "gateway crimes." Nationally reports show, the majority of juveniles who are involved in serious criminal behaviors usually began by committing these "gateway crimes". Services for tobacco, substance abuse and status offenders include mental health and substance abuse assessments, tracking, mediation, mentoring, family training and counseling, individual counseling, drug and alcohol counseling, anger management, in-home support services, behavior and school contracts, drug and alcohol screenings, smoking and substance abuse cessation classes, testing for tobacco, alcohol and substance use and cognitive thinking change classes.

Youth Courts

Idaho's Youth Courts served over 704 youths most who committed tobacco and alcohol offenses for FY06. This very popular program serves Idaho's youth in five judicial districts and fourteen counties statewide. Embracing at-risk youth and engaging them in a positive judicial setting is at the heart of the Youth Court. Youth Court is a highly regarded program, which allows first time tobacco and alcohol offenders in Idaho and other teen volunteers to participate in a jury trial process to determine the penalties for the referred offenders using teens as court officers including jury members. Volunteer judges and lawyers oversee the proceedings to assure due process is followed. Young offenders grow in many aspects of life by gaining perspective about Idaho's judicial system, as well as, gain respect for themselves and the community they live.

Idaho's Youth Courts are above average in the number of youth served. According to Youth Court: *A Community Solution for Embracing At-Risk Youth*, page 10, "Almost half of the participating programs were small, serving fewer than 50 youths per year, while five were large programs with more than 500 cases a year." In FY06 alone, Idaho's Youth Courts combined served 704 youths. Youth Court statistics statewide indicate that approximately 93% of the participating youth are successful. This low recidivism rate proves this program is effective in handling first time tobacco and alcohol offenders, as well as, alleviating Idaho's Juvenile Court caseloads. Nationally "the average costs of youth court programs are estimated at \$430.00 per youth served and \$480.00 per youth successfully completing a sentence." The Millennium Funds allocated to Idaho's Youth Courts is on point with the national average.

II. PROPOSAL

A. Organizational Background

The Idaho Supreme Court on behalf of Idaho's seven Judicial Districts and the Judges of Idaho submit this application to address juvenile tobacco, substance abuse, and status offenses.

B. Purpose of Request: Goals and Outcomes

The Court's goal is to provide an opportunity for communities when appropriate to intervene when a youthful offender engages in tobacco abuse, substance abuse or status offenses. Intervention is different than prevention in that the behavior has occurred and has been brought to the attention of community authority.

The programs the Court seeks to encourage are those where the offending young person could end up in the judicial system. In some cases, filings may have already occurred. By utilizing the status offender or youth court programs, the case can be diverted from the judicial process. Diversion is provided under the Juvenile Correction Act of 1995. By encouraging the Diversion of appropriate cases, youthful offenders and their families can be treated for the offending behavior and the judicial system will not have to become engaged. Unfortunately, there are more and more cases where the juvenile courts must become engaged in order to protect the community. Yet, addressing youthful offenders who smoke, use substances, or engage in anti-

social behavior like status offenders has the best return in terms of preventing future law violations.

The short terms objectives of the Supreme Court's efforts are to encourage the counties to develop and sustain programs like the Status Offense programs and the Youth Courts programs. In the long term, the Court's overriding goal is to assure youth who smoke, abuse substances and engage in anti-social behavior are appropriately and adequately addressed so they will not recidivate.

C. Organizational Capacity

The Idaho Juvenile Justice System lends itself uniquely to the effort to intervene at an early stage of tobacco, substance abuse or status offending behavior. The legislature in essence formed a partnership by breaking down the responsibilities need to address juvenile justice between the local courts, counties and the State through the Department of Juvenile Corrections.

Recently the National Council of Juvenile and Family Court Judges published *The Juvenile Delinquency Guidelines - Improving Court Practice in Juvenile Delinquency Cases*. The National Council, as part of this process, identified sixteen Key Principles of a Juvenile Delinquency Court of Excellence. The first principle is: Juvenile Delinquency Court Judges Should Engage in Judicial Leadership and Encourage System Collaboration. The sixth principle provides: Juvenile Delinquency Court Judges Should Ensure Their Systems Divert Cases to Alternative Systems Whenever Possible and Appropriate. The Court's effort in applying and utilizing Millennium Funds relates to these two principles.

Judges and the Idaho's Judicial System are engaged more and more as leaders to help communities collaborate to stem the increasing juvenile and criminal caseload. These efforts must include the community. Courts uniquely can convene community members as has been done throughout the history of the Status Offender and Youth Court efforts to formulate and encourage programs to address early criminal behavior. The Millennium Funds provide encouragement for these efforts by allowing at least some funding base. Current Status Offender and Youth Court programs receive additional funding from County and other sources except for a couple of programs in Idaho's smallest population counties. The Millennium Funds encourage the participating counties, grant providers, and private benefactors by demonstrating the need for alternative diversion programs for youthful smokers, alcohol and drug abusers and youthful status offenders. The Court's ability to oversee these programs gives some assurance these programs are and will continue to be effective.

The Trial Court Administrators and the Administrative Judges in the Districts provide immediate oversight and encouragement. Their ability to work directly with the counties and the program providers helps assure proper accountability and direction for the programs.

The Status Offender program staff are direct service providers for youth providing accountability, counseling, education for parents and offenders and other services. As such, the violators are addressed individually. In the Youth Court, violators are directly involved in the process. Many Youth Courts, if appropriate, require as a condition of their sentence that

violators sit on Youth Court Jury panels. This gives the offender direct involvement and provides additional learning about their abuse and the impact on others.

D. Process

The process the Court follows with the Millennium Funds is to provide information to the Trial Court Administrators who then contact judges in their district to encourage their use of the funds. The Trial Court Administrators then provide requests to the Court Administrative Office and the requests are reviewed. The requests, which meet the guidelines of the Millennium Fund and the Court, are granted within the funding base.

Several ongoing status offender programs and youth courts have continued to request funding and those who are in conformance with the Court's requirements of reporting and demonstrating efficacy have been funded. The Court's role is to essentially encourage these programs and assure funds are being used correctly. If a community wishes to begin a new program, then their existing juvenile justice infrastructure is expected to be utilized so the funds will be used directly to benefit youthful offenders.

Each program is responsible for their own day-to-day operations. Annual training has been instituted to assure all counties utilizing Millennium Funds understand the parameters of the Millennium Funds, the Court's reporting requirements, and to encourage collaboration. Quarterly reports are submitted to the Court with utilization statistics attached.

Dr. Mary Holly, the founder of Mothers Against Meth reported at her Boise seminar in November, children who begin smoking at age 10 have a high likelihood of using stimulants such as meth by age 15. She reported nicotine predisposes a young user to addiction because of nicotine's impact on the brain. She also discussed the difficulties families have in addressing tobacco or other drug or alcohol use because of family guilt, which then often results in denial. Denial then causes agony because of fear of judgment by the community that the parent is a bad parent. Both Status Offender programs and Youth Court address these issues. Status offender programs begin with a staffing with the parents to find common ground to address the issue. Effective status offender programs are not judgmental, but encouraging because both the parents concerns and the child's concerns are addressed. An agreement is then reached to address the concerns through treatment, education, or other means to assure further tobacco use does not occur.

Youth Court's focus primarily on the offender and utilizes positive peer pressure to help the user understand further substance use cannot be tolerated. Judge Ryan, who works with the Canyon County Youth Court, reported that the sentences for tobacco use are harsher than those for alcohol use. He thought this perhaps reflected the general awareness of the harm tobacco smoking does to the community. Peers, who according to studies have more impact on our youth than families or schools, are communicating this message. Youth Court's also require treatment components if necessary. Some Youth Court's now include the family in the process as witnesses to suggest sentencing alternatives.

The Fifth District Youth Court program recently was awarded a grant from a private foundation

to create treatment and accountability options for first time marijuana users. Historically, marijuana use is often a gateway to increased criminal activity by teen users therefore, most prosecutors are reluctant to divert even first time cases. The goal of the new program is to provide treatment opportunities and assure treatment and other requirements are monitored for compliance. Currently, there are few adolescent treatment options. A White Paper prepared by Department of Health and Welfare reported, based on the 2004 National Survey on Drug use and Health, there were 25,933 adolescents needing substance abuse intervention in Idaho.

The Court's unique position in Idaho's Juvenile Justice System gives it the opportunity to encourage intervention programs to remediate youthful offenders who smoke, use alcohol and drugs, and engage in anti-social behaviors before the Justice System has to engage them in court.

E. Evaluation Plan

All programs utilizing the Millennium Funds received by the Court give quarterly statistical reports on their cases. These reports are tabulated to collect demographic, offense, substance use services utilized and other pertinent information. Additionally, recidivism statistics will be accessed using the Court's ISTARS program or Department of Juvenile Correction's IJOS program to assure proper information on those in the programs is being captured. This information will be reviewed and compared with other programs and reported to the Court and program providers at their annual training. Programs receiving Millennium Funds are encouraged to engage in their own evaluation program.

F. Sustainability

The Idaho Judicial System will continue to be involved in juvenile justice cases as mandated by legislation. The Court will continue to seek additional resources, such as the Millennium Fund to help its leadership role in encouraging Idaho's communities to address the serious need to intervene with youthful smokers, drug and alcohol abusers, and status offenders.

III. BUDGET

In the budget setout below, personnel is defined as program staff hired to provide direct services for their program, such as, mental health and substance abuse assessments, tracking, mediation, mentoring, family training and counseling, individual counseling, drug and alcohol counseling, anger management, in-home support services, behavior and school contracts, drug and alcohol screenings, smoking and substance abuse cessation classes, testing for tobacco, alcohol and substance use, cognitive thinking change classes and organizational and coordination requirements for youth court. Direct Services are defined as contractors hired to perform assessments, training, counseling or other services program staff cannot perform. Operating costs consists of postage, photocopies, program materials, etc. Finally, travel is budgeted at the current state rate.

This FY08 proposal is based on the FY07 budget and will be modified upon Court review and District requests in order address tobacco, substance abuse and status offenses.

**MILLENNIUM FUND - IDAHO SUPREME COURT
FISCAL YEAR 08 PROPOSED ALLOCATION**

Youth Courts	Personnel	Direct Services	Operating	Travel	Total
Bonner County	\$ -	\$ -	\$ -	\$ -	\$ -
Third District	\$ 11,000	\$ 1,925	\$ 5,785	\$ 290	\$ 19,000
Ada County	\$ 14,900	\$ 3,700	\$ 400	\$ -	\$ 19,000
Fifth District	\$ 14,900	\$ 3,700	\$ 400	\$ -	\$ 19,000
Bannock County	\$ 12,800	\$ -	\$ -	\$ -	\$ 12,800
Bonneville County	\$ 13,000	\$ -	\$ 1,000	\$ -	\$ 14,000
Total	\$ 66,600	\$ 9,325	\$ 7,585	\$ 290	\$ 83,800

Status Offender Services	Personnel	Direct Services	Operating	Travel	Total
Ada County	\$ 50,000	\$ -	\$ -	\$ -	\$ 50,000
Bannock County SOS	\$ 27,000	\$ 18,000	\$ -	\$ -	\$ 45,000
Twin Falls SOS	\$ 36,000	\$ 11,000	\$ 7,500	\$ 5,500	\$ 60,000
Fremont / Teton	\$ 6,000	\$ -	\$ -	\$ -	\$ 6,000
Lemhi County Parent Project	\$ 7,000	\$ -	\$ 2,000	\$ -	\$ 9,000
Total	\$ 126,000	\$ 29,000	\$ 9,500	\$ 5,500	\$ 170,000

Expansion Programs	Total				
(1)Expand SOS Substance	\$ -	\$ 14,200	\$ -	\$ -	\$ 14,200
(2)Fifth Dist. Truancy Court			\$ 2,000		\$ 2,000
Total	\$ -	\$ 14,200	\$ 2,000	\$ -	\$ 16,200

Total Allocation	\$ 192,600	\$ 52,525	\$ 19,085	\$ 5,790	\$ 270,000
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- (1) Expand Status Offender program to offer substance abuse assessments
(2) Early intervention for fifth district truancy court